



# **The Fitzroy Academy** **Health and Safety Policy**

Reflexion Care Group Limited has a Health and Safety Policy which is regularly updated, a copy of which is held at Head Office and on the school computer system. The Health and Safety Policy of the Fitzroy Academy should be read in conjunction with the company policy.

This policy is based on advice from the Department for Education on [health and safety in schools](#) and the following legislation:

[Health and Safety at Work etc. Act 1974](#), which sets out the general duties employers have towards employees and duties relating to lettings

[Workplace \(Health, Safety and Welfare\) Regulations 1992](#), which require employers to provide adequate lighting, heating, ventilation and workspace (and keep them in a clean condition); staff facilities, including toilets, washing facilities and refreshments.

[Management of Health and Safety at Work Regulations 1999](#), which require employers to carry out risk assessments, make arrangements to implement necessary measures, and arrange for appropriate information and training

[Control of Substances Hazardous to Health Regulations 2002](#), which require employers to control substances that are hazardous to health (as amended 2003 and 2004)

[Reporting of Injuries, Diseases and Dangerous Occurrences Regulations \(RIDDOR\) 2013](#), which state that some accidents must be reported to the Health and Safety Executive and set out the timeframe for this and how long records of such accidents must be kept

[Health and Safety \(Display Screen Equipment\) Regulations 1992](#), which require employers to carry out digital screen equipment assessments and states users' entitlement to an eyesight test

[Health and Safety \(First Aid\) Regulations 1981](#), which requires the employer to ensure that First Aid provision is sufficient for the place of work

[Health and Safety Information for Employees \(amended\) Regulations 2009](#), which deal with the provision of information for employees relating to health and safety and welfare.

[Manual Handling Operations Regulations 1992](#), which require an employer to ensure that all transportation or supporting of a load by bodily means is appropriately managed in the workplace.

[Gas Safety \(Installation and Use\) Regulations 1998](#), which require work on gas fittings to be carried out by a Competent Person.

[Electricity at Work Regulations 1989](#), which require work on electrical systems to be carried out by a Competent Person.

[Regulatory Reform \(Fire Safety\) Order 2005](#), which requires employers to take general fire precautions to ensure the safety of their staff

[Work at Height Regulations 2005](#), which requires employers to protect their staff from falls from height

[Public Health \(Control of Diseases\) Act 1984](#) which covers the measures that can be implemented by the authorities when there is a serious threat to Public Health.

## **Aims**

- To ensure the health and safety of all employees, students, visitors and members of the public who enter onto the premises of The Fitzroy Academy.
- To set out the duties and responsibilities of both the organisation and its employees.
- To recognise the partnership necessary with the L.A to ensure that all statutory duties in this field are met.
- To emphasise the importance of the need to manage health and safety.

## **Guidelines**

- The Directors have overall responsibility for Health & Safety at The Fitzroy Academy
- This responsibility is delegated to The Head Teacher who has day to day responsibility for Health and Safety
- Teaching Staff have responsibility for Health and Safety in respect of their areas of the curriculum and their daily working areas.
- All staff in attendance at The Fitzroy Academy, regardless of position or role, have certain duties and responsibilities in respect of Health and Safety as set out in the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999
- Such duties include:
  - Co-operation in respect of any Health and Safety matter
  - To not interfere with anything provided to safeguard their safety
  - To adhere to any instruction or training in respect of Health and Safety
  - To use any equipment in accordance with instruction or training received
  - To take reasonable care of the Health and Safety of both themselves and others; and
  - To report any Health and Safety concern to The Head Teacher
- To perform a suitable and sufficient risk assessment with regards to any Hazard which is likely to cause injury or harm; to act on that risk assessment to reduce the potential for injury or harm; and to identify any residual risk that may remain subsequent to the measures to reduce risk being put in place.
- To regularly review all risk assessments pertaining to their area of work
- To review Health and Safety through it being an agenda item at each staff meeting
- To maintain good order and behaviour of all students by adhering to the School Behaviour Policy.
- To ensure that contractors can satisfy the school of their competence to pursue their activities safely and make adequate arrangements for fire and other relevant emergency precautions.
- To ensure visitors are briefed appropriately with regards to health and safety matters
- To encourage students to take reasonable care to avoid acts or omissions that it can be reasonably foreseen might be likely to injure someone.
- To ensure the safety of disabled people, please refer to the Disability, Equality and Accessibility policy.

Under Common Law, all staff at The Fitzroy Academy have a duty of care to all students in their charge. The simplest means of deciding on the suitability of certain actions is to ask yourself "Is that which I am about to do, that which I would do with my own children?" If the answer is no, then the action should be avoided. Similarly, the duty of care is to do that which would be deemed as "reasonable". Although there is no legal definition of reasonableness, a helpful guideline for what is unreasonable is "to do that which if in full possession of facts, (one) would not have dreamt of doing." In a court of law, the questions asked would be:-

- Is a duty of care owed?
- Was the duty not discharged or not discharged properly?
- If not, did any damage accrue?

If the answer is “yes” then the member of staff may be facing a charge of negligence. This must be manifest negligence or incompetence. Simple under performance is not negligence. The defence against a charge of negligence would need to cover:-

1. All reasonable steps (as that of a reasonable body of professional opinion) have been taken to ensure the safety of equipment and premises, including suitable Risk Assessment.
2. Class instruction/briefing on safety and appropriate behaviour has been given.
3. Class prepared for activity and instructed in the use of equipment and appropriate footwear and clothing.
4. The work/activity is in keeping with appropriate and normal practice.
5. Visits, outdoor pursuits and overseas trips have all conformed to the School's policy on visits.

### **Standards**

The Head Teacher will deal with all Health and Safety issues relating to contractors working on the site and also the cleaning and caretaking staff. School staff are expected to be aware of the Health and Safety policy as written by Reflexion Care Group Limited and will have signed to say that they have read this document.

Where an occasion arises where no such guidance has been given a risk assessment should be undertaken:

- identify hazards - those aspects which have the potential to cause harm;
- assess risks - the likelihood of injury coupled with its severity;
- take precautions appropriate to the level of risk established.
- Re-assess the level of risk after taking suitable precautions
- If the residual risk is still too high seek advice about how to proceed

It is the responsibility of the Head Teacher to ensure that general risk assessments are carried out effectively and annually reviewed and that risk assessment for visits and trips are carried out each time a visit or trip occurs. The Head Teacher is trained as an Educational Visits Co-ordinator (This process will be overseen by the director responsible for school). Please see the relevant policy.

### **Contractors and School Partnerships**

The majority of maintenance work carried out at school is done by Reflexion Care Group Limited employees on the Maintenance team, who are aware of the company's Health and Safety Policy. External Contractors carrying out work for the school will be required to be aware of the company's Health and Safety Policy and act in accordance with this policy. Contractors will be required to assess the risks to anyone who might be affected as a result of the performance of the contract. In particular, they will be required to make appropriate arrangements with the Head teacher to ensure that the Directors and users are sufficiently and suitably informed and consulted on issues relevant to risk control.

Any external users of the school premises will exchange H&S policies and procedures with the school and ensure that the H&S of all staff and users will be protected to a level which is reasonably practicable and equivalent in standard to the school.

It is the Head Teacher's responsibility and or the Director who has requested work be completed, to ensure that any External Contractors hold the relevant certificates to prove that they are a Competent Person and that both their Public Liability Insurance, and their Employers Liability Insurances are current and valid. This responsibility may be discharged through the Facilities Administrator through the normal procedures required in confirming work to be completed.

## **Consultation and Advice**

Employees with observations or queries with regards to Health and Safety should raise their concerns with the Head Teacher in the first instance. If the employee continues to have concerns, then the matter should be brought to the attention of one of the company Directors.

It is the responsibility of the Head Teacher to ensure that appropriate knowledge is possessed by employees who work in hazardous areas, e.g. Science, in which various memberships can be useful such as CLEAPPS.

It is the responsibility of each of the teachers to ensure that they have access to and knowledge of relevant advice and information relating to their area of specialism.

## **Workplace stress**

Employees should seek support and advice in the first instance from colleagues, the Head Teacher if they are experiencing stress which they feel is unmanageable and/or impacting on their health. They have a duty to raise such issues to allow New Reflexions to respond appropriately in an effort to reduce stress. If the response of the Head Teacher is not to their satisfaction, then concerns should be taken to the HR manager or Director with responsibility for the school: Mandy Clarke.

## **Accident Reporting**

All injuries should be reported to the Head Teacher and the employee should complete the accident book (in the staffroom).

It is the responsibility of the Head Teacher to report student accidents to the school administrator and employee accidents to the Human Resources Department, who will then determine if the company needs to file a RIDDOR.

If an accident or incident occurs during an offsite trip or visit, the lead teacher/teaching assistant should log the details of incidents or accidents that have occurred during the trip, or record details of any issues.

## **First Aid – see separate policy**

## **External Investigation of an Accident**

Where a RIDDOR instigates an external investigation of an accident by the appropriate authorities the Fitzroy Academy and their staff will co-operate fully with the investigating authority.

## **Training, Instruction and Competence**

The successful implementation of this policy depends upon the knowledge and skill of all staff. It is a fundamental responsibility of all managers to ensure that staff and the students under their control are competent for the tasks they are called upon to perform.

## **Mini-buses**

The Fitzroy Academy does not own a mini-bus. For any visits involving the use of a hired mini-bus, it is the duty of the staff concerned to ensure that they adhere to all the regulations covering the use of the mini-bus (e.g. insurance, fitness for purpose, driver training, seat belts, and driver hours, inspection for safety and reporting faults and student supervision).

The Fitzroy Academy has school cars which are available for teachers to use for work purposes. Teachers should take responsibility for reporting any damage/issues in a timely fashion.

Teachers must inform the Head teacher if there are any changes to their driving licence which may impact on their insurance to use the school car.

Teachers should report any issues with the school car to an appropriate person as soon as possible.

A weekly vehicle check should be undertaken of the school cars.

### **School security**

The school buildings must remain secure at all times, this means that all buildings must remain closed and locked to the outside. All employees are responsible for ensuring this security and students should be encouraged to understand the importance of security too. Visitors must sign in and out of the main Head Office on site, and be accompanied at all times by a member of staff.

Out of hours the school should be locked, including any internal doors. The site has CCTV.

### **Control of Infectious Diseases**

The school site at all times must adhere to guidance and instruction that may be issued by UK Government, Local Authorities or both National and Regional Public Health Authorities.

Any outbreak of an Infectious Disease on the school site must be reported to the relevant authority in accordance with UK legislation.

### **Violence at work**

The Fitzroy Academy believes that staff should not be in any danger at work. RTI training is designed to ensure the safety of all and should be used appropriately. The school does not tolerate violent or threatening behaviour towards staff, but also recognises that the vulnerable nature of the young people we work with means that this type of behaviour may be experienced. All staff should report any incidents of aggression or violence (or near misses) directed to themselves to the Head teacher and record as required using the school system. Violence from visitors or other staff will not be tolerated and issues should be reported immediately to the Head Teacher.

### **Visitors**

Visitors to the school will either be accompanied at all times or be provided with information about fire evacuation procedures, school rules, contact names and this policy. Regard must be given to visitors DBS status if students are present in the building they must be accompanied or only have access to areas which students do not have access to.

All visitors to the school must sign in and sign out at reception showing ID as requested.

### **Manual Handling**

All staff receive training during their induction in relation to safe lifting and moving of everyday work equipment. Staff should constantly consider their own health and safety

when lifting or moving heavy items and take the necessary precautions, seek assistance or choose not to carry out the activity if it is not safe to do so.

### **Fire Safety** (including gas leaks and chemical leaks)

- The Head teacher, along with the fire officer are responsible for ensuring that Fire (Emergency) Evacuation procedures are in place, are known and understood by all and practised at least once a term (see Fire file for those procedures).
- The Maintenance team is responsible for the checking of fire extinguishers and for regular fire system checks.
- On hearing the alarm all staff must evacuate themselves and those young people in their charge via the nearest fire exit to the collection point by the Dovecote. Detailed information about individual staff roles is available on a separate sheet.
- If it is not immediately clear and certain that the alarm has been seen to be set off by a young person acting out, then the person in charge is to carry out a full check of the buildings including cupboards and unused spaces. Only when it is **absolutely** clear that there is no fire and the cause of the alarm has been identified should young people be re-admitted to the building.
- If there is a fire, then young people who have care staff present should be dismissed with their care staff to return home. Any remaining students and staff can take shelter in the nearby residential building if necessary, so that arrangements can be made to return them home.
- All necessary contact details are available at head office if the school is not accessible.

Fire detection systems, emergency lighting systems and fire-fighting equipment will be inspected by a competent person at least annually, or after any event which result in a full evacuation of the premises, other than for the purposes of a fire drill.

### **Substances/COSHH** (The Control of Substances Hazardous to Health (COSHH) Regulations 1999)

The Head teacher is responsible for a formal assessment of the risks that might arise from the use at work of substances defined as hazardous to health. This responsibility may be delegated to those with specific knowledge and experience with certain hazardous items, E.g. Science teacher. Precautions commensurate to the risk must be specified and implemented. Any mechanical measures (such as fume cupboards) used to control risks must be subject to periodic inspection and records kept to prove that this requirement has been complied with. Employees are required to make full and proper use of any protective equipment provided to protect their health and report immediately any defects.

Substances “hazardous to health” fall into the following categories:-

- a) substances labelled by suppliers “very toxic”, “toxic”, “harmful”, “corrosive” or “irritant”
- b) substances for which a maximum exposure is specified
- c) a micro-organism used at work that constitutes a hazard to health
- d) dust of any kind if it is present in substantial concentration in air
- e) any substance not included there which creates a comparable hazard to health

The school follows guidance from the Health and Safety executive relating to managing substances that could be harmful. These occur in the following areas;

- Science chemicals
- Substances used in Art or other Creative Activities
- Cleaning materials

The Fitzroy Academy stores all these items in a locked, labelled cupboard. The school is a member of CLEAPPS which provides all of the required safety and risk assessment information to guide teachers about the safe use and storage of items.

The school requests Safety Data Sheets for all ordered cleaning items and any art materials that require these, they are available for those using these items.

When using substances which may be hazardous, staff should consider;

- Elimination – eliminate the use of a harmful substance
- Substitution – use a safer form of the product (for example, paste rather than powder)
- Reduction – reduce the amount used or the time spent using the substance
- Isolation / enclosure
- Local exhaust ventilation / general ventilation such as doors and windows
- Safe systems of work
- Information, instruction and training
- Supervision
- Personal protective equipment

### **Risk Assessments**

The Head Teacher will carry out annual site risk assessments, more often if a new risk becomes apparent. These will detail how risk is to be minimised during the normal functioning of the school. Each teacher is responsible for carrying out dynamic risk assessments for the activities and area for which they are responsible. Where a member of school staff wishes to carry out an activity which could be considered riskier or uses equipment or materials which have specific risk management requirements, they should complete an on-site risk assessment and discuss it with the Head Teacher prior to the activity taking place.

Risk assessments for off-site activities are detailed in our Educational visits and trips policy.

### **Electrical Safety**

The company Health and Safety Manager is responsible for ensuring the inspection of electrical equipment. PAT testing will be carried out regularly at the school. All teachers are responsible for removing from use any item from their own areas which fails to meet the necessary requirements. Any member of staff wishing to bring personal electrical items to use in school must first discuss the matter with the Head Teacher; if the item is less than a year old and visual inspection indicates no damage then it is likely to be permitted. Any items over one year old must be PAT tested before use. The electrical systems for The Fitzroy Academy will be inspected fully by a competent person either every five years or following a significant replacement, or addition to the electrical systems at the property.

### **Oil / Gas Safety**

Any oil or gas heating systems will be inspected by a competent person at least annually, or upon a major refurbishment or overhaul of the system.

### **Monitoring and Evaluation and Review**

Periodic checks and routine inspection of the premises and the Risk Assessment procedures will be made by a person with Health and Safety responsibilities to ensure that the stated arrangements are in force and are effective.

## **Asbestos**

The Fitzroy Academy school site has had a full inspection and report, there are no records of asbestos which require any further action. Any works that may open up areas previously unavailable should have full consideration for the possibility of discovering asbestos. Those undertaking this work should have training to ensure they remain safe.

## **References**

Health and Safety at Work Act (1974)  
Management of Health and Safety at Work Regulations 1999  
Health and Safety (General Provision) Regulations 1992  
Education (School Premises) Regulations 1996  
Workplace (Health, Safety and Welfare) Regulations 1992  
Education Act 1988  
Fire Precautions Act 1971  
Fire Precautions (Place of Work) Regulations 1999  
Advice taken from Cheshire County Council, Health and Safety Department, October 2001  
Annual Briefings from Cheshire County Council – Including Annual Reports.  
Health & Safety Manual, Cheshire County Council (distributed October 2002)  
Standards for LEAs in overseeing Educational Visits (Part 1) July 2002

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|------------------------|----------------------------------------------------|
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| <i>Reviewed by</i>     | <i>The Health and Safety Manager,<br/>P Scott.</i> |